



PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
**PK4835**First named inventor: **Melissa E. Scott**Application No.: **09/828,072**Group Art Unit: **1636**Filed: **April 6, 2001**

Examiner:

Title: **HIGH-THROUGHPUT SCREENING ASSAYS BY ENCAPSULATION**Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus any extensions of time  
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,280 (37 CFR 1.17(m))**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in  
the form of Declaration and Power of Attorney (identify type of reply):**

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

**B. The issue fee of \$ \_\_\_\_\_**

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on  
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC  
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

08/28/2002 AWDHDAF1 00000150 071392 09828072

01 FC:141 1280.00 CH

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EV022027288US**RECEIVED****AUG 29 2002****OFFICE OF PETITIONS**

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### 3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

August 26, 2002

Date

*Frank P. Grassler*

Signature

Telephone

Number: (919) 483-2482

Frank P. Grassler, Reg. 31,164

Typed or printed name

GlaxoSmithKline

Address

Five Moore Drive, RTP, NC 27709

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

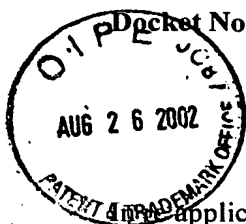
I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

Date

Signature

Type or printed name of person signing certificate



Docket No. PK4835

#6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: SCOTT et al.

Serial No.: 09/828,072

Group Art Unit: 1636

Filed: April 6, 2001

Examiner:

For: *High-Throughput Screening  
Assays By Encapsulation*

**BOX DAC**  
**Commissioner for Patents**  
**Washington, D.C. 20231**

**RENEWED PETITION UNDER 37 CFR 1.137(b)**

Applicants request reconsideration of the Decision Dismissing Petition under 37 CFR 1.137(b), date mailed July 5, 2002, and request the attached renewed Petition for Revival of an Application for Patent Abandoned Unintentionally be granted.

The above-identified application became abandoned for failure to respond in a timely manner to the Notice to File Missing Parts, date mailed June 4, 2001, which set a shortened statutory period for reply of two (2) months. In accordance with the requirements of 37 CFR 1.137(b), Applicants submit the following:

1. A Declaration and Power of Attorney in reply to the outstanding Notice to File Missing Parts.
2. The petition fee as set forth in § 1.17(m)
3. A statement that the entire delay in filing the required reply was unintentional.
4. A Change of Correspondence Address

Should the Examiner have any questions or concerns regarding the above, Applicants' attorney can be contacted at the number listed below.

09/11/2002 AKELLEY 00000012 071392 09828072  
01 FC:122 130.00 CH

Respectfully submitted,

Frank P. Grassler  
Attorney of Record  
Registration No. 31,164

Date: August 26, 2002  
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